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# ~~Public Notice~~

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**Applicant:**

BNB Partners

**Date:**

Published: February 1, 2002

~~Expires: March 1, 2002~~

**U.S. Army Corps  
of Engineers**

**In Reply Refer To:**

**Buffalo District CELRB-CO-R RE: 94-512-32(3) Section: OH 404**

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Application for Permit under Authority of  
Section 404 of the Clean Water Act (33 U.S.C. 1344).

Mr. Jon Bigadza, on behalf of BNB Partners, 3600 Brecksville Road, Richfield, Ohio 44286, has applied for Department of the Army Authorization to place fill in Federal wetlands and unnamed tributaries to construct phase 2 of the Secluded Highlands Subdivision. The project is located off of Oviatt Road, Township of Hinckley, Medina County, Ohio.

Department of the Army authorization is required to place fill in 0.464 acre of wetlands and 217 linear feet of stream to construct Phase 2 of the subdivision. The preferred alternative consists of developing 37 additional home sites, extending two roads with two cul-de-sacs, and installing the associated infrastructure.

The site was previously utilized by the U.S. Army and is now designated as the Cleveland Tank Testing Facility, a Formerly Utilized Defense (FUD) site. The site was used to test tank engines.

Impacts for Phase 1 were authorized by Nationwide Permit 26 without mitigation for 0.97 acres of wetland impact (Department of the Army Permit No 94-512-32(0), affirmed on December 21, 1994). Only 0.41 acre of wetland was impacted in Phase 1.

To mitigate impacts to 0.874 acres of wetland and 217 linear feet of stream resulting from the construction of phases 1 and 2 the applicant is proposing to place a conservation easement on two category III wetlands, including a 25-foot buffer (8.563 acres) and purchase 0.9 credits at an approved mitigation bank.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to Mark T. Lesinski, who can be contacted by calling (440) 437-5840, or by e-mail at: Mark.Lesinski@lrb01.usace.army.mil

The following authorization(s) may be required for this project:

Water Quality Certification (or waiver thereof) from the Ohio Environmental Protection Agency.

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, Orwell Field Office, 33 Grand Valley Avenue, Orwell, Ohio 44076, and should be marked to the attention of Mark T. Lesinski, or by e-mail at: Mark.Lesinski@lrb01.usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

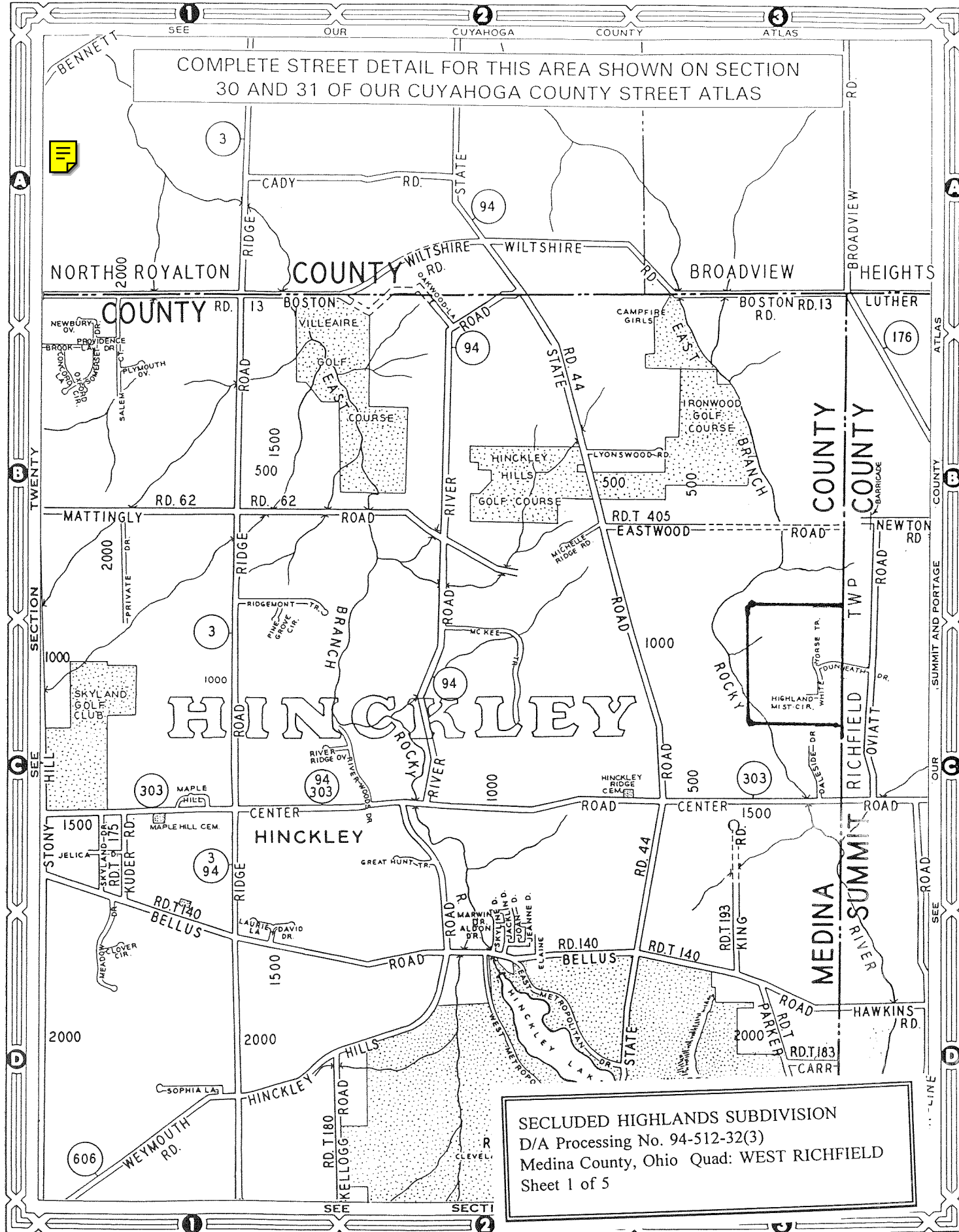
The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

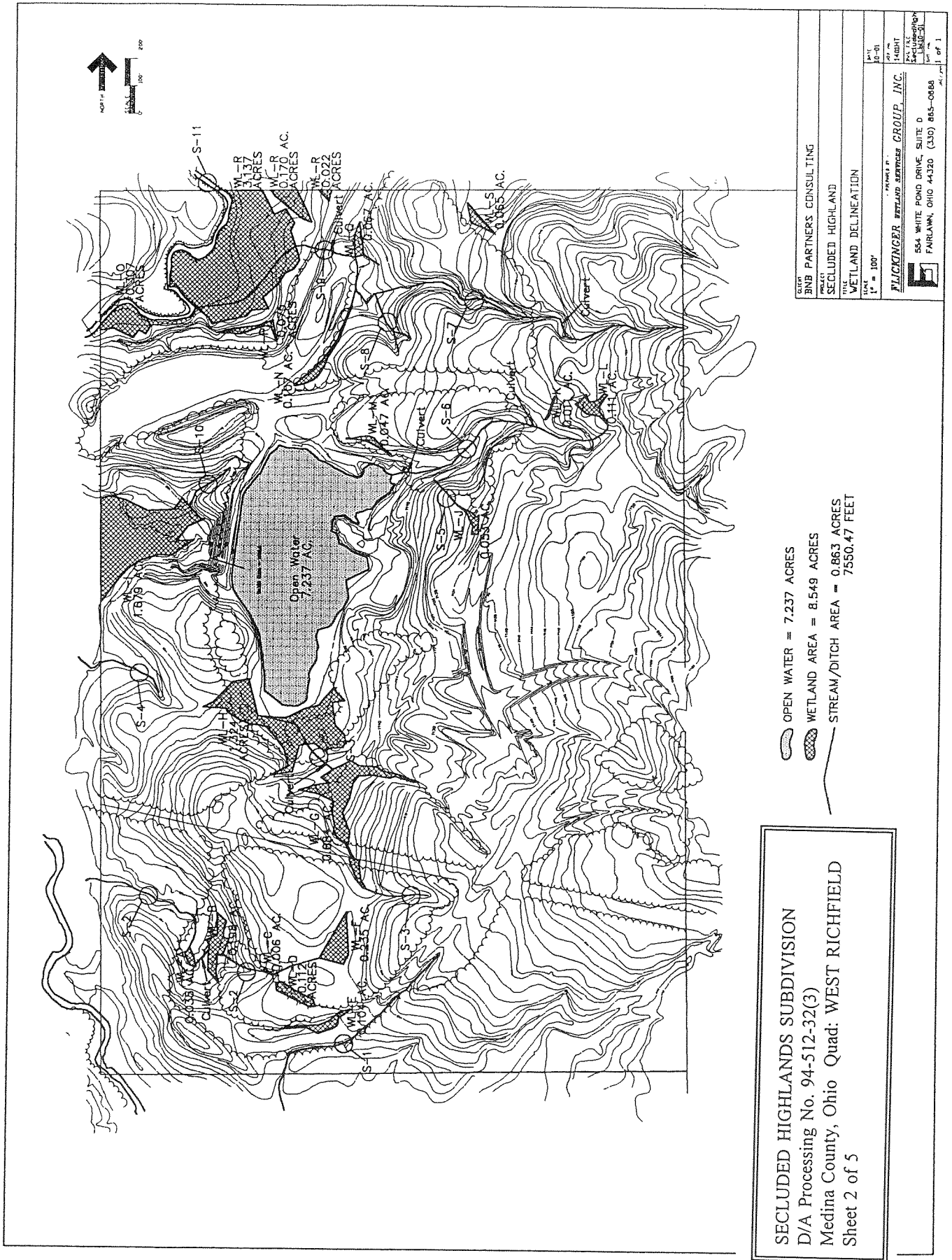
The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner  
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

# SECTION No. 21





SECLUDED HIGHLANDS SUBDIVISION  
D/A Processing No. 94-512-32(3)  
Medina County, Ohio Quad: WEST RICHFIELD  
Sheet 2 of 5

OPEN WATER = 7,237 ACRES  
WETLAND AREA = 8,549 ACRES  
STREAM/DITCH AREA = 0.863 ACRES  
7550.47 FEET

CLIENT  
BNB PARTNERS CONSULTING

PROJECT  
SECLUDED HIGHLAND

TITLE  
WETLAND DELINEATION

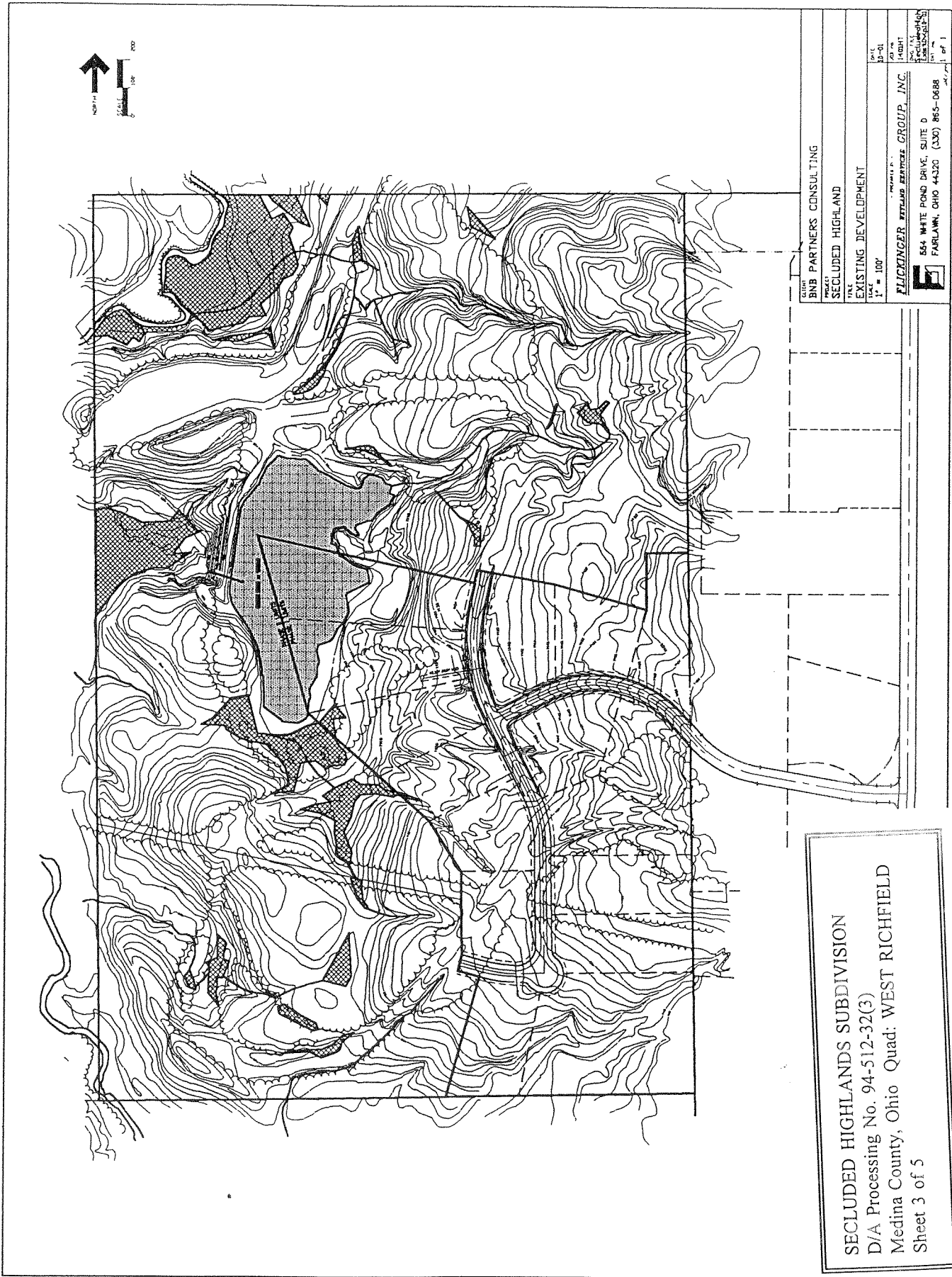
SCALE  
1" = 100'

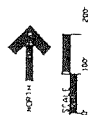
DATE  
10-01

PREPARED BY  
PICKINGER WETLAND SERVICES GROUP, INC.

554 WHITE POND DRIVE, SUITE D  
FAIRLAWN, OHIO 44320 (330) 865-0068

1 of 1



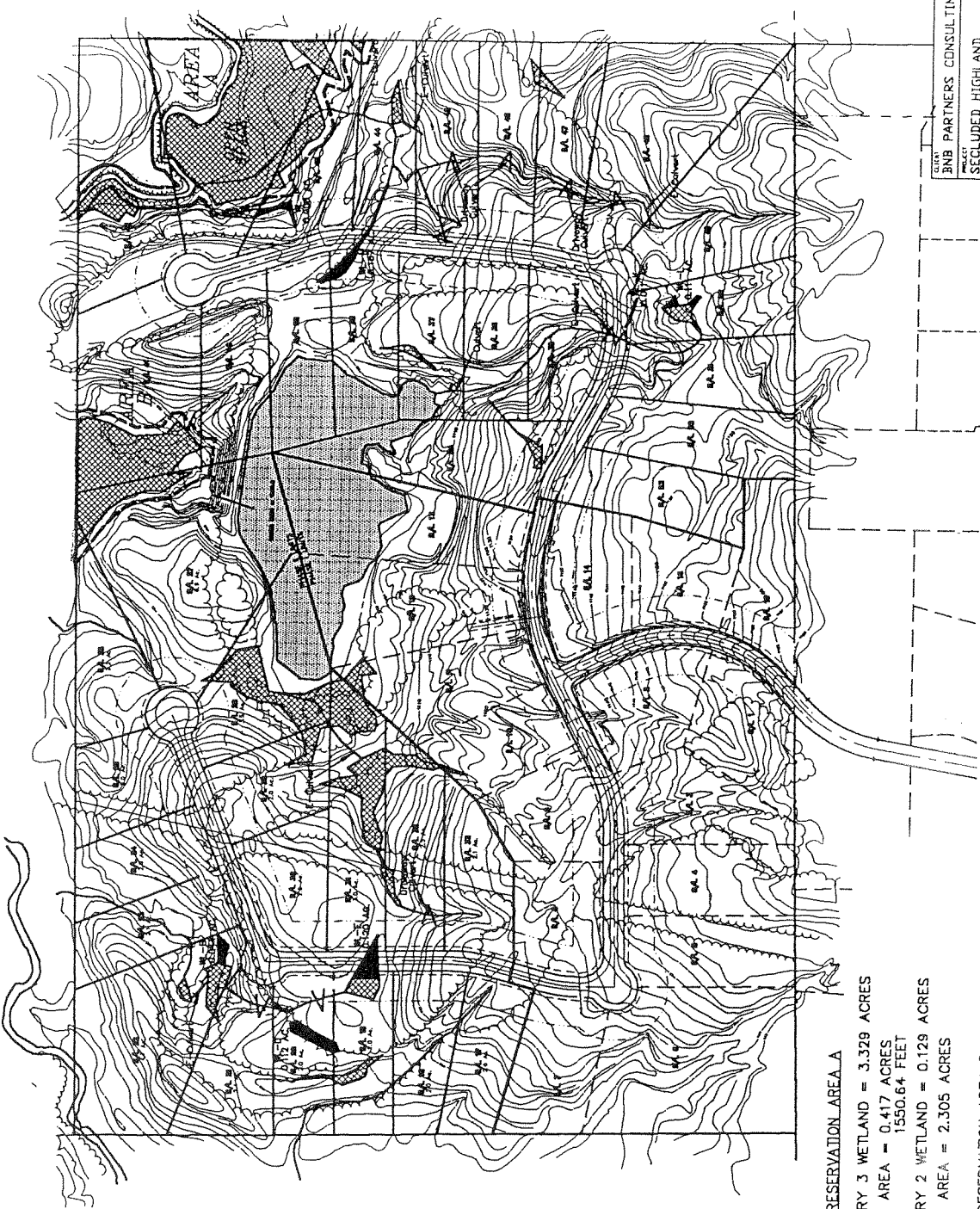


CLIENT	BNB PARTNERS CONSULTING
PROJECT	SECLUDED HIGHLAND
DATE	ERRER ALTERNATIVE

SECLUDED HIGHLANDS SUBDIVISION  
D/A Processing No. 94-512-32(3)  
Medina County, Ohio Quad: WEST RICHFIELD  
Sheet 4 of 5

37 ADDITIONAL LOTS ARE PROPOSED WITH THIS ALTERNATIVE





**PRESERVATION AREA A**

CATEGORY 3 WETLAND = 3.329 ACRES  
 STREAM AREA = 0.417 ACRES  
 1550.64 FEET  
 CATEGORY 2 WETLAND = 0.128 ACRES  
 UPLAND AREA = 2.305 ACRES

**PRESERVATION AREA B**

CATEGORY 3 WETLAND = 1.679 ACRES  
 STREAM AREA = 0.006 ACRES  
 30.46 FEET  
 UPLAND AREA = 0.898 ACRES

SECLUDED HIGHLANDS SUBDIVISION  
 D/A Processing No. 94-512-32(3)  
 Medina County, Ohio Quad: WEST RICHFIELD  
 Sheet 5 of 5

CLIENT BNB PARTNERS CONSULTING	
PROJECT SECLUDED HIGHLAND	
TITLE MITIGATION FOR THE PREFERRED ALTERNATIVE	
DATE 12-01	BY 140HT
DRAWN BY E. RICKINGER WETLAND SERVICES GROUP, INC.	
554 WHITE POND DRIVE, SUITE D FAIRLAWN, OHIO 44130 (330) 865-0608	
1 of 1	